

Miller, Cheryl

From: Dunn, Tom
Sent: Tuesday, July 13, 2004 3:36 PM
To: Miller, Cheryl
Subject: FW: search/classification

-----Original Message-----

From: Lin, Kuang
Sent: Tuesday, July 13, 2004 3:33 PM
To: Dunn, Tom
Subject: RE: search/classification

There is a search in 164/46 and 164/76.1. Please put original in 164/46 and cross in 164/76.1 when allowed.

-----Original Message-----

From: Dunn, Tom
Sent: Tuesday, July 13, 2004 2:54 PM
To: Lin, Kuang
Subject: FW: search/classification

Doc - could you please take a look at this? Thanks

-----Original Message-----

From: Miller, Cheryl
Sent: Tuesday, July 13, 2004 2:38 PM
To: Dunn, Tom
Subject: FW: search/classification

Mr. Dunn,

I am looking for a search on a method of making a stent (application 09/745,304, the claim is below). I am having trouble finding art on the claims, and was wondering if they belong in class 164. If so, would you know of someone in your unit who would be good to talk to regarding a subclass search?

Thank you,
Cheryl

-----Original Message-----

From: Kolb-Michener, Jennifer
Sent: Tuesday, July 13, 2004 2:27 PM
To: Miller, Cheryl
Subject: RE: search/classification

Also:

My SPE just called (he's slow at typing) and told me to tell you that your current case goes to class "164-metal molding" since the substrate is a sacrificial substrate and the stent-forming material is metal. Call whoever that SPE is for that class and they could give you a search.

Jennifer

-----Original Message-----

From: Kolb-Michener, Jennifer
Sent: Tuesday, July 13, 2004 1:56 PM
To: Miller, Cheryl
Cc: Beck, Shrive
Subject: RE: search/classification

Cheryl,

Yes, I do methods of coating stents, however, I do not believe there is a coating step, here.

Shrive, could you take a look at this claim:

Claim 27. A method of manufacturing an implantable endoluminal device capable of radially expanding from a first diameter to a second diameter comprising the steps of:

- a. vacuum depositing a device-forming metal onto an unpatterned, exterior surface of a generally cylindrical substrate at a deposition rate that causes a formation of heterogeneities in the metal to form a generally tubular, unpatterned substantially homogeneous metal film on the exterior surface of the substrate;
- b. forming a pattern of openings through the deposited generally tubular, unpatterned, substantially homogeneous metal film to form the implantable endoluminal device, whereby the pattern of openings provide a plurality of geometric deformation regions that permit radial expansion of the implantable endoluminal device; and
- c. removing the implantable endoluminal device from the substrate.

It appears that a sacrificial substrate is vacuum-coated with a stent-forming metal. The sacrificial substrate is removed, leaving a stent. But the stent itself is not coated. Shrive, can you provide another class to search if it's not ours?

Cheryl, to answer your question: no, I have not seen this before, but that is probably due to the fact that the stent is not coated so it's not my normal area. If you have a dependent claim where the stent is coated, you can search in 427/2.1-2.31, specifically 2.1 and 2.24 and 2.28.

What I have seen is methods of coating tubes with polymers and then laser ablating (or etching away) through the polymer and underlying metal tube to create the geometry of the desired stent with a coating thereon, if that helps at all, but I do not believe that polymer coating would have been put down by vacuum deposition and even if it were, it's to put down a coating, not the base "device-forming metal".

Hope that helps,
Jennifer

-----Original Message-----

From: Miller, Cheryl
Sent: Tuesday, July 13, 2004 12:07 PM
To: Kolb-Michener, Jennifer
Subject: FW: search/classification

Hi Jennifer,

I am the examiner for application 09/745,304 (this is an IFW case). This is a stent case. I normally work on the structure of stents, however ended up examining this one, which is a method of making a stent. I heard you might be the person to talk to about this case. I'm having trouble finding art on the claims, and was wondering if I could get your opinion whether or not the claims could be allowable, and if they should be classified in your area. If not, would you happen to know of where they would be classified? Any information would be greatly appreciated. Thank you
Cheryl

-----Original Message-----

From: Beck, Shrive
Sent: Tuesday, July 13, 2004 10:54 AM
To: Miller, Cheryl
Subject: RE: search/classification

Jennifer Michener is who you would want to speak to. Her e-mail name is Kolb-Michener. Her extension is 2-1424.

-----Original Message-----

From: Miller, Cheryl
Sent: Monday, July 12, 2004 3:21 PM
To: Huff, Mark; Beck, Shrive
Subject: search/classification

Hello, I am the examiner for application 09/745,304 (this is an IFW case). I generally work on medical stents, however this case is a method of making a stent. I already have been examining the case, however,

it probably does not belong in my class(623). I am looking for direction as to where the current case would properly be classified upon allowance and hopefully someone to talk to regarding a search. Any information would be greatly appreciated. Thank you

Cheryl L. Miller
U.S. Patent and Trademark Office
GAU 3738, Prosthetics
Crystal Plaza 2, 2D20
(703) 305-2812